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Attorney for Defendant
JAMES KALFSBEEK

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES KALFSBEEK, et al.,

Defendants.

Cr. No. S-05-128 LKK

STIPULATION AND
ORDER TO CONTINUE STATUS
CONFERENCE AND FINDING
OF EXCLUDABLE TIME

The United States of America, through Assistant U.S. Attorney R. Steven Lapham, and defendant James Kalfsbeek, through his counsel Scott L. Tedmon; defendant Kurt Lakota, through his counsel Dwight M. Samuel; defendant Sherwood T. Rodrigues, through his counsel Robert J. Peters; defendant Blanche Hassall, through her counsel James R. Greiner; defendant Amy Polnoff, through her counsel Marcus D. Merchasin; defendant David Polnoff, through his counsel Steven F. Helfand; defendant Louise Renfro, through her counsel Candace A. Fry; and defendant Donna Rowe, through her counsel Joseph J. Wiseman, hereby stipulate and agree as follows:

1. The current status conference in this case is set for January 10, 2006 at 9:30 a.m.
2. At the July 21, 2005 status conference, time was excluded under the Speedy Trial Act through September 7, 2005 under Local Code T2, unusual and complex case, and under Local Code T4, need of counsel to prepare.

1 3. At the September 7, 2005 status conference, time was excluded under the Speedy Trial
2 Act through January 10, 2006 under Local Code T2, unusual and complex case, and under Local
3 Code T4, need of counsel to prepare.

4 4. The parties stipulate and agree that the Court should reiterate its previous finding that time
5 should be excluded under the Speedy Trial Act in that this case is unusual and complex, for need of
6 counsel to prepare and that the ends of justice therefore outweigh the best interest of the public in
7 a speedy trial.

8 5. The 34-count Indictment in this case charges the defendants with a multitude of charges
9 including 18 U.S.C. §371 - Conspiracy; 18 U.S.C. §1341 - Mail Fraud; 18 U.S.C. §1343 - Wire
10 Fraud; 18 U.S.C. §1957 - Monetary Transactions in Criminally Derived Property; and 18 U.S.C.
11 §1956(a)(1)(B)(I) and 2 - Money Laundering and Aiding and Abetting.

12 6. The government has provided defense counsel with 2,530 pages of discovery. Mr. Chris
13 Lewis, the California Department of Insurance investigator on this case, stated the government has
14 in its possession several hundred thousand pages of additional documents contained in 50 bankers
15 boxes and 17 file cabinets which are available for review by the defense. A review of this
16 voluminous discovery is necessary and relevant to the defense counsel's full and proper preparation
17 of the case.

18 7. Accordingly, it is hereby stipulated and the parties agree that the date for the status
19 conference in this matter be continued to April 11, 2006 at 9:30 a.m., and that time be excluded
20 under the Speedy Trial Act based on this case being unusual and complex pursuant to 18 U.S.C.
21 §3161(h)(8)(B)(ii), Local Code T2; for need of counsel to prepare pursuant to 18 U.S.C.
22 §3161(h)(8)(B)(iv), Local Code T4, and that the ends of justice therefore outweigh the best interest
23 of the public in a speedy trial.

24 Finally, Scott L. Tedmon has been authorized by all counsel to sign this stipulation on their
25 behalf.

1 **IT IS SO STIPULATED.**

2 DATED: January 4, 2006

McGREGOR W. SCOTT
United States Attorney

3 /s/ R. Steven Lapham
4 R. STEVEN LAPHAM
Assistant U.S. Attorney

5 DATED: January 4, 2006

LAW OFFICE OF SCOTT L. TEDMON

6 /s/ Scott L. Tedmon
7 SCOTT L. TEDMON
Attorney for James Kalfsbeek

8 DATED: January 4, 2006

LAW OFFICE OF DWIGHT M. SAMUEL

9 /s/ Dwight M. Samuel
10 DWIGHT M. SAMUEL
Attorney for Kurt Lakota

11 DATED: January 4, 2005

LAW OFFICE OF ROBERT J. PETERS

12 /s/ Robert J. Peters
13 ROBERT J. PETERS
Attorney for Sherwood T. Rodrigues

14 DATED: January 4, 2006

LAW OFFICE OF JAMES R. GREINER

15 /s/ James R. Greiner
16 JAMES R. GREINER
Attorney for Blanche Hassall

17 DATED: January 4, 2006

LAW OFFICE OF MARCUS D. MERCHASIN

18 /s/ Marcus D. Merchasin
19 MARCUS D. MERCHASIN
Attorney for Amy Polnoff

20 DATED: January 4, 2006

HELFAND LAW OFFICES

21 /s/ Steven F. Helfand
22 STEVEN F. HELFAND
Attorney for David Polnoff

23 DATED: January 4, 2006

LAW OFFICE OF CANDACE A. FRY

24 /s/ Candace A. Fry
25 CANDACE A. FRY
Attorney for Louise Renfro

1 DATED: January 4, 2006

LAW OFFICE OF JOSEPH J. WISEMAN

2 /s/ Joseph J. Wiseman

3 JOSEPH J. WISEMAN

4 Attorney for Donna Rowe

5
6 **ORDER**

7 GOOD CAUSE APPEARING and based upon the above stipulation, the Court reiterates its
8 previous finding that time be excluded under the Speedy Trial Act in that this is an unusual and
9 complex case within the meaning of 18 U.S.C. §3161(h)(8)(b)(ii) [Local Code T2], for need of
10 counsel to prepare pursuant to 18 U.S.C. §3161(h)(8)(B)(iv), [Local Code T4] and that the ends of
11 justice therefore outweigh the best interest of the public in a speedy trial. Accordingly,

12 IT IS ORDERED that this matter is continued to April 11, 2006, at 9:30 a.m., for further
13 Status Conference.

14 IT IS FURTHER ORDERED that, pursuant to 18 U.S.C. §3161(h)(8)(B)(ii) and (iv), the
15 period from January 10, 2006, to and including April 11, 2006, is excluded from the time
16 computations required by the Speedy Trial Act.

17 **IT IS SO ORDERED.**

18 DATED: January 6, 2006

/s/ Lawrence K. Karlton

19 HONORABLE LAWRENCE K. KARLTON
20 Senior U.S. District Judge
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